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EXAMINER	
GAUTHIER, GERALD	
ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/737,098	PATEL, KANU	
	Examiner	Art Unit	
	Gerald Gauthier	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 June 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-10,12-16,18-22 and 24-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-10,12-16,18-22 and 24-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. **Claims 1-2 and 4-8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (US 5,901,214) in view of Mankovitz (US 6,253,069) and in further view of Winter et al. (US 4,768,144).

Regarding **claim 1**, Shaffer discloses, a system for obtaining information of a person via a telephone network (column 1, lines 11-18), comprising in combination:

(a) an automated call handler (CALL PROCESSING CENTER 213 on FIG. 2) coupled to the telephone network (NATIONAL TELECOMMUNICATIONS NETWORK 212 on FIG. 5) and capable of receiving a request for information from a caller (column 28, line 21 "information") via the telephone network, querying the caller for details about the request, accessing the requested information (column 28, lines 25-26), and providing the requested information to the caller in accordance with the request (column 37, lines 10-16) [The call processing center 213 receives a call from a user and gets specific information from the user to retrieve the request service for the user];

(b) an audio controller (VRU 214 on FIG. 2) capable of providing outgoing audio messages from the call handler to the caller via the telephone network (column 36, lines 43-66) [The VRU 214 provides prompts to the caller to receive and confirm information interacting from the caller via the network]; and

(c) a gateway terminal (GATEWAY 230 on FIG. 2) coupled to the automated call handler and having a searchable database (REMOTE DATABASE LOCATION 231 on FIG. 4) having stored therein information, wherein the gateway terminal further has a security checker (column 37, line 59 "Spatial Key") for ensuring access to the searchable database by authorized callers, and wherein the security checker processes security identification entered by the caller to verify authorization (column 28, lines 14-18) [The gateway has access to the remote database that contains individual information of the caller] and (column 37, line 51 to column 38, line 3) [If the application requires Spatial Key retrieved data a decision state calls a retrieve and verify process].

Shaffer discloses credit history databases such as Claritas and Equifax but fails to disclose retrieving credit history information.

However, Mankovitz teaches an apparatus for providing credit history information for a customer (column 7, lines 25-42) [Advertisers are provided with access to customer credit history and other financial information].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Shaffer adding the credit history information request as taught by Mankovitz.

The modification of the invention would offer the capability of having credit history information such as the user would be able to access information for buying products or services in a given area.

Shaffer discloses a Spatial Key for additional security but fails to disclose the security checker processes security identification entered by the caller to verify authorization.

However, Winter teaches the security checker processes security identification entered by the caller to verify authorization (column 9, lines 14-27) [The host computer 14 checks the information entered by the user to determine whether the user is authorized].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Shaffer using the host computer security checker as taught by Winter.

This modification would offer the capability of maximum security so that the user would access the information requested.

Regarding **claim 2**, Shaffer discloses a plurality of modems (column 28, lines 47-53) for converting a dual-tone multi-frequency signal into digit (column 28, lines 35-54).

Regarding **claim 4**, Shaffer discloses the gateway terminal further has a data analyzer (column 3, line 25 "VRU") for converting the digits into at least one American Standard Code for Information Interchange (ASCII) character (column 3, lines 16-31).

Regarding **claim 5**, Shaffer discloses the gateway terminal further has a data search handler (column 18, line 29 "a data provider") for searching the database based on the request provided by the caller (column 18, lines 21-48).

Regarding **claim 6**, Shaffer discloses the call handler is capable of faxing (column 33, line 53 "the FAX server") the credit history information to the caller (column 33, line 48 to column 34, line 3).

Regarding **claim 7**, Shaffer discloses the call handler mails the credit history information to the caller (column 37, lines 17-32).

Regarding **claim 8**, Shaffer discloses the call handler e-mails the credit history information to the caller (column 33, lines 15-24).

3. **Claims 9-10 and 12-14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Winter and in further view of Lowery (US 6,446,111).

Regarding **claim 9**, Shaffer and Winter disclose all the limitations of **claim 9** as stated in **claim 1** rejection but Shaffer fails to disclose books availability information.

However, Lowery teaches books availability information (column 14, lines 1-21) [The server performs the updating and tracking of the availability of the book into a large storage capacity].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to add the large storage of book availability information of Lowery in the information databases of Shaffer.

The modification of the invention would offer the capability of having a book availability information data such as the user would search for the book authors for responding to the client request so as to reduce bandwidth usage.

Regarding **claim 10**, Shaffer discloses a plurality of modems (column 28, lines 47-53) for converting a dual-tone multi-frequency signal into at least on digit (column 28, lines 35-54).

Regarding **claim 12**, Shaffer discloses the gateway terminal further has a data analyzer (column 3, line 25 "VRU") for converting the digits into at least one American Standard Code for Information Interchange (ASCII) character (column 3, lines 16-31).

Regarding **claim 13**, Shaffer discloses the gateway terminal further has a data search handler (column 18, line 29 "a data provider") for searching the database based on the request provided by the caller (column 18, lines 21-48).

Regarding **claim 14**, Shaffer discloses the audio controller converts the book availability information into an audio response (column 30, line 53 "speaking recorded voice messages to the caller") and the call handler provides the audio response to the caller (column 30, line 41 to column 31 line 5).

4. **Claim 15-16 and 18-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Winter.

Regarding **claim 15**, Shaffer and winter disclose all the limitations of **claim 15** as stated in **claim 1** rejection.

Regarding **claim 16**, Shaffer discloses a plurality of modems (column 28, lines 47-53) for converting a dual-tone multi-frequency signal into at least one digit (column 28, lines 35-54).

Regarding **claim 18**, Shaffer discloses the gateway terminal further has a data analyzer (column 3, line 25 "VRU") for converting the digits into at least one American Standard Code for Information Interchange character (column 3, lines 16-31).

Regarding **claim 19**, Shaffer discloses the gateway terminal further has a data search handler (column 18, line 29 "a data provider") for searching the database based on the request provided by the caller (column 18, lines 21-48).

Regarding **claim 20**, Shaffer discloses the audio controller converts the address information into an audio response (column 30, line 53 "speaking recorded voice messages to the caller") and the call handler provides the audio response to the caller (column 30, line 41 to column 31 line 5).

5. **Claims 21 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Mankovitz, in view of Winter and in further view of Lowery.

Regarding **claim 21**, Shaffer, Mankovitz, Winter and Lowery disclose all the limitations of **claim 21** as stated in **claim 1** and **claim 9** rejections and furthermore Shaffer discloses means (214 on FIG. 2) for receiving a plurality of character responses (column 3, line 24 "typed characters") from the caller, wherein each response represents a single ASCII character (column 3, lines 16-31) [The VRU receives a character as response from the caller]; and

a database search means (218 on FIG. 3) for searching the searchable database means using the database search request (column 31, lines 9-31) [The SQL database

server search the databases and store the information to be send to the VRU for the user].

Regarding **claim 22**, Shaffer, Mankovitz, Winter and Lowery disclose all the limitations of **claim 22** as stated in the **claim 21** rejection above.

Shaffer discloses ASCII characters but fails to disclose a plurality of two-character response wherein each two-character response represents a single ASCII character.

However, Winter teaches wherein step (b) comprises receiving a plurality of two-character response (column 13, line 35 "two characters of information") wherein each two-character response represents a single ASCII character (column 13, lines 35-42) [The two characters of information are generated, the first character is an ASCII code and the second is an of text].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Shaffer using the two characters of information as taught by Winter.

This modification would offer the capability of having two characters of information to represent an ASCII code such as the user would be relieve of the need to repeatedly actuate the browse request.

6. **Claims 24 and 27-29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Mankovitz, in view of Winter and in further view of Dlugos (US 4,135,662).

Regarding **claim 27**, Shaffer, Mankovitz and Winter disclose all the limitation of **claim 27** as stated in **claim 1** rejection and furthermore Shaffer disclose a plurality of modems for converting a dual-tone multi-frequency (DTMF) signal into at least one digit (column 28, lines 35-53).

Shaffer fails to disclose a conversion module that transforms a first digit and a second digit into a letter.

However, Dlugos teaches a conversion module that transforms a first digit and a second digit into a letter, wherein the first digit identifies a group of letters and the second digit identifies the letter within the group, and wherein the first digit and the second digit are entered by the caller (column 6, lines 18-23).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Shaffer using the conversion module that transforms a first digit and a second digit into a letter as taught by Dlugos in the invention of Shaffer.

The modification of the invention would offer the capability of having a conversion module that transforms a first digit and a second digit into a letter such as the operator would correct the system errors.

Regarding **claim 24**, Dlugos teaches a conversion module that transforms a first digit and a second digit into a letter, wherein the first digit identifies a group of letters and the second digit identifies the letter within the group, and wherein the first digit and the second digit are entered by the caller (column 6, lines 18-23).

Regarding **claim 28**, Shaffer discloses the gateway terminal further has a data analyzer for converting the digits into at least one American Standard Code for Information Interchange (ASCII) character (column 3, lines 16-31).

Regarding **claim 29**, Shaffer discloses the gateway terminal further has a data search handler for searching the database based on the request provided by the caller (column 18, lines 21-48).

7. **Claim 25** is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Winter, in view of Lowery and in further view of Dlugos.

Regarding **claim 25**, Dlugos teaches a conversion module that transforms a first digit and a second digit into a letter, wherein the first digit identifies a group of letters and the second digit identifies the letter within the group, and wherein the first digit and the second digit are entered by the caller (column 6, lines 18-23).

8. **Claim 26** is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Winter and in further view of Dlugos.

Regarding **claim 26**, Dlugos teaches a conversion module that transforms a first digit and a second digit into a letter, wherein the first digit identifies a group of letters and the second digit identifies the letter within the group, and wherein the first digit and the second digit are entered by the caller (column 6, lines 18-23).

Response to Arguments

9. Applicant's arguments with respect to **claims 1-2, 4-10, 12-16, 18-22 and 24-29** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GERALD GAUTHIER
PATENT EXAMINER

g.g.
October 8, 2004

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